

**IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF VIRGINIA
RICHMOND DIVISION**

MARK C. JOHNSON,

Plaintiff,

v.

**PENNYMAC LOAN SERVICES, LLC, et
al.,**

Defendants.

Case. No. 3:19-cv-00837-DJN

Judge David J. Novak

**DEFENDANT PENNYMAC LOAN SERVICES, LLC'S
MOTION FOR SANCTIONS UNDER FED. R. CIV. P. 11**

PennyMac Loan Services, LLC (“PennyMac”), by and through its undersigned counsel, respectfully moves this Honorable Court for an order awarding imposing sanctions, including reasonable attorney’s fees and injunctive relief, against Plaintiff, Mark C. Johnson for violating Federal Rule of Civil Procedure 11(b).

In support of this motion, PennyMac states that:

1. A reasonable pre-filing inquiry would have revealed to Plaintiff that there was no evidentiary support for the allegations in the Petition to Confirm Arbitration Award (“Petition”).
2. The Petition was filed solely for the improper purpose of harassing PennyMac. In particular, the Petition was filed to obtain a fraudulent money judgment.
3. As a result of the filing of this pleading, PennyMac has incurred substantial legal expenses in defending against a frivolous matter.¹

¹ PennyMac will provide the Court with an itemized affidavit of its attorney fees once a ruling is made.

4. This Motion and supporting papers were served on Plaintiff on January 7, 2020 more than 21 days ago. However, Plaintiff has not withdrawn or corrected the offending pleading during this time.

5. In support of this Motion, PennyMac submits the attached Memorandum of Points and Authorities.

Wherefore, for the foregoing reasons, PennyMac requests that the Court grant its Motion for Sanctions against Plaintiff.

Respectfully Submitted,

BLANK ROME LLP

Dated: January 7, 2020

/s/ Adrien Pickard

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NOTICE PURSUANT TO LOCAL RULE 7(K)

CONSISTENT WITH THE REQUIREMENTS OF *ROSEBORO V. GARRISON*, 528 F.2D 309 (4TH CIR. 1975), PLEASE TAKE NOTICE THAT:

(1) YOU, THE PRO SE PARTY, ARE ENTITLED TO FILE A RESPONSE OPPOSING THE MOTION AND THAT ANY SUCH RESPONSE MUST BE FILED WITHIN TWENTY-ONE (21) DAYS OF THE DATE ON WHICH THE DISPOSITIVE OR PARTIALLY DISPOSITIVE MOTION IS FILED; AND

(2) THE COURT COULD DISMISS THE ACTION ON THE BASIS OF THE MOVING PARTY'S PAPERS IF YOU DO NOT FILE A RESPONSE; AND

(3) YOU MUST IDENTIFY ALL FACTS STATED BY THE MOVING PARTY WITH WHICH THE PRO SE PARTY DISAGREES AND MUST SET FORTH THE PRO SE PARTY'S VERSION OF THE FACTS BY OFFERING AFFIDAVITS (WRITTEN STATEMENTS SIGNED BEFORE A NOTARY PUBLIC AND UNDER OATH) OR BY FILING SWORN STATEMENTS (BEARING A CERTIFICATE THAT IT IS SIGNED UNDER PENALTY OF PERJURY); AND

(4) YOU ARE ALSO ENTITLED TO FILE A LEGAL BRIEF IN OPPOSITION TO THE ONE FILED BY THE MOVING PARTY.

CERTIFICATE OF SERVICE

I certify that on January 7, 2020, I sent a copy of the foregoing *Defendant PennyMac Loan Services, LLC's Motion for Sanctions Under Fed. R. Civ. P. 11* by first class Mail, postage prepaid, to the following:

Mark C. Johnson
451 May Lane
Louisa, VA 23093
Pro Se Plaintiff

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